REMARKS

Claims 1-7 and 9-14 are currently pending in the application, with claims 1 and 13 being independent. Claims 2-4 and 7 are withdrawn as being directed to non-elected species. Applicants respectfully request entry of this amendment for favorable consideration in light of the remarks contained herein.

Claim Rejections – 35 USC §102

The outstanding Office Action indicated that claims 1, 5, 6, 8-10, and 13 are rejected under 35 USC §102(b) as being anticipated by Umezawa et al. Applicants disagree and respectfully traverse this rejection.

Umezawa discloses a laminated sheet and a process of making thereof, which shields electromagnetic waves by embedding a conductive mesh 3 within a thermoplastic resin layer 2 for forming a laminated sheet (col. 3, lines 4-7; Fig. 3). Umezawa discloses a variety of different embodiments, wherein the thermoplastic sheet has different hardness properties. For example, one embodiment utilizes an acrylic-type thermoplastic resin composition having superior surface hardness, weather resistance, transparency, flexibility, low temperature characteristics, and the like (col. 5, lines 16-20).

The Examiner asserts that Umezawa teaches a heat radiating elastic member which provides cushioning for protection from physical shock, and cites embodiment 4 (column 14, lines 5-31) as supporting evidence. Specifically, the Examiner asserts that the use of rubber would inherently provide cushioning for protection from physical shock, as claimed. Applicants respectfully disagree with the Examiner's interpretation of this embodiment of Umezawa.

Umezawa discloses utilizing a thermoplastic resin sheet 12, which is an olefin-type elastomer sheet containing 40 parts by weight of JSR DYNARON and 60 parts by weight of polypropylene. While this material may have flexible properties and may not be as hard as the other embodiments disclosed by Umezawa, Applicants maintain Umezawa fails to disclose "a heat radiating elastic member ... to provide cushioning for protection from physical shock ... ," as recited in claims 1 and 13.

Umezawa clearly fails to teach using the thermoplastic resin sheet 12 as a cushioning member because the thickness of the sheet is merely .2 mm. This is clearly too thin to provide cushioning from physical shock. As Umezawa further discloses, the laminated sheet of this thickness is cut to a desired size and fitted to the window of a portable telephone to use as an electromagnetic wave shielding window (col. 14, lines 29-32).

As further evidence that Umezawa's electromagnetic shielding thermoplastic laminated sheets do not provide cushioning properties, Umezawa discloses in embodiment 5 that during the manufacturing of such sheets, a cushion material of silicone rubber which is 3mm thick is positioned on the surface of a metal bottom molding plate 10. If the laminate sheets, as the Examiner asserts, had cushioning properties, there would be no need to supply a 3 mm thick sheet of silicone rubber as a cushioning material during the laminate sheets' manufacture. (Col. 14, lines 53-57.) Therefore, given the disclosure of embodiment 5, Applicants submit the Umezawa actually teaches away from having the thermoplastic resin sheet providing cushioning from physical shock and vibration.

Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of independent claims 1 and 13. Claims 5, 6, and 8-10 depend from claim 1 and are allowable at

least for the reasons provided above for allowable claim 1.

Claim Rejections – 35 USC §103

The outstanding Office Action indicated that claims 11, 12, and 14 are rejected under 35 USC §103(a) as being unpatentable over Umezawa in view of Hsu. Applicants disagree and traverse this rejection.

Hsu merely teaches an electromagnetic shield, which includes a multi-walled cover with a peripheral gap between inner and outer walls. A shielding gasket may be mounted in the peripheral gap. The electromagnetic shield further includes a fence disposed within the peripheral gap and arranged for mounting on a printed circuit board. The electromagnetic shield provides a barrier to electromagnetic signals radiating between an interior of the electromagnetic shield and an exterior (col. 1, lines 48-55).

Claims 11 and 12 depend from claim 1 and include all of the features recited therein; claim 14 depends from claim 13 and includes all the features recited therein. As provided above, Umezawa fails to teach all the features recited in independent claims 1 and 13. Hsu fails to cure the deficiencies of Umezawa in this respect.

Accordingly, Applicants respectfully request the Examiner to withdraw the rejection to claims 11, 12, and 14.

Conclusion

In view of the above amendments and remarks, this application appears to be in condition for allowance and the Examiner is, therefore, requested to reexamine the application and pass the claims to issue.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at telephone number (703) 205-8000, which is located in the Washington, DC area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By

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